

2014

STATE OF ALABAMA,

SHELBY COUNTY.

Before the undersigned authority personally appeared O. K. Curlee, who is known to me and who being by me first duly sworn does depose and say as follows:

I am 76 years of age. I am acquainted with the NE 1/4 of SE 1/4 and twenty-four acres on the east side of the SW 1/4 of SE 1/4 and eight acres in a square in the northwest corner of the SE 1/4 of SE 1/4, all in Section 6, Township 22, Range 1 East. This property was owned by Robert Seale at the time of his death and I recall that the property was deeded to Sophia C. Arnett by the other heirs and distributees of the estate of Robert Seale at the time Robert Seale's Estate was divided among such heirs and distributees. Evidence of the acquisition of such title by Sophia C. Arnett appears in Deed Book 78 at page 36 in the Probate Office of Shelby County, Alabama. The deed, according to this record, was acknowledged on February 26, 1887.

I have known this land since I was a boy and I would say that my knowledge of the land dates back to the year 1887.

William Arnett was the husband of Sophia C. Arnett. During a period of several years following the death of Robert Seale, William Arnett purchased other portions of the Robert Seale Estate from other heirs of this estate. He acquired ten acres in the southeast corner of the NW 1/4 of the NE 1/4, Section 7, Township 22, Range 1 East from Madora Seale by deed which appears of record in Deed Book 78 at page 34 in the office of the Judge of Probate of Shelby County, Alabama. He acquired the E 1/2 of the NW 1/4 of NE 1/4 of Section 7, Township 22, Range 1 East from Madora Seale and this deed appears of record in Deed Book 78 at page 34. I cannot explain the overlappage in these two conveyances. Madora Seale was one of the heirs of Robert T. Seale as was Mrs. Emma McGiboney who conveyed three acres in the southwest corner of the NE 1/4 of NE 1/4 of said Section 7, which three acres extends one acre wide east and west and three acres wide north and south, to W. T. Arnett by deed recorded in Deed Book 78 at page 33 in the Probate Office of Shelby County, Alabama. W. T. Arnett acquired other tracts of land from various heirs of Robert Seale in addition to the above conveyances mentioned. I knew this family and the land which was

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subject to division. W. T. Arnett built a home in the NW 1/4 of NE 1/4 of said Section 7 within a year after this property was subdivided among the heirs. He went into possession of all of the property heretofore described shortly after it had been conveyed to him and he occupied said property either by living thereon or by renting same to tenants until he died about 1923 or 1924. Sophia C. Arnett, his wife, joined him in exercising control and possession over the property heretofore described and designated as belonging to Sophia C. Arnett as well as the property mentioned as having been conveyed to William Arnett.

About the time William Arnett built the home heretofore mentioned he began clearing this land for cultivation. I farmed portions of this property the year after I was married. I rented the land from William Arnett and I lived in the home which he had built, heretofore mentioned. It was the year 1899 that I raised crops on this property. I know that William Arnett and Sophia Arnett claimed title to all of the land heretofore described and though only a small portion of it was cultivated, they had possession of and exercised control over all of said lands. After I left this property William Arnett continued to rent out portions of it year after year until his death. I remember that one of the other tenants was named Carden. All land which was cleared for cultivation was put under fence.

My father, John Curlee, bought a forty acre tract from Martha Seale adjoining a portion of the above described property and he built a home on it and lived there for many years.

Sophia C. Arnett died soon after World War I, according to my recollection. William T. Arnett, her husband, died several years later. During their lifetime they had open, continuous, exclusive, peaceable, actual, visible, hostile and adverse possession of all of the land heretofore described, claiming to own same against all of the world. They were either in actual possession of this property or had portions of same rented to tenants. Sophia Arnett and William Arnett left five children, viz: Mabel Arnett Jones, James R. Arnett, I. T. Arnett, Ettie Arnett Averyt and Ethel Arnett Jackson. It is my understanding that Mabel Arnett Jones

has claimed to own this property since about 1935. I know that Ben Bolton occupied the house heretofore mentioned for several years and paid rent to Mabel Arnett Jones.

During the time I have known this property I have never heard of any person or corporation claiming any interest in this property or any right thereto adverse to the rights of Sophia C. Arnett and William T. Arnett or their descendants.

O. K. Curlee  
O. K. Curlee

Sworn to and subscribed before me on  
this the 9 day of January,  
1953.

Conrad M. Fowler  
Notary Public

led in the office of the Probate Judge on the 4 day of Mar 19 53 at 11 o'clock A. M.  
recorded in Deed Book 128 Page 332 this 6 day of Mar 19 53.  
d Tax \_\_\_\_\_ Mortgage Tax \_\_\_\_\_ has been paid.

L.C. Walker, Judge of Probate